

MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
TRANSPORTATION REVIEW COMMITTEE

August 24, 1999

Maricopa Association of Governments Office
302 North First Avenue, Suite 200, Saguaro Room
Phoenix, Arizona

MEMBERS ATTENDING

Gary Brown, Tempe, Chairman
Wickenburg: Fred Carpenter, Vice-Chair
ADOT: Victor Mendez
*Avondale: William Bates
*Buckeye: Joe Blanton
Chandler: Patrice Kraus
*Fountain Hills: Randy Harrel
Gilbert: Tami Ryall
Glendale: Jim Book

*Goodyear: Doug Sanders
Litchfield Park: Mike Cartsonis
Maricopa County: Tom Buick
Mesa: Jeff Martin
Peoria: David Moody
Phoenix: Tom Callow
RPTA: Ken Driggs
Scottsdale: Steve Hogan
Surprise: Ellis Perl

EX-OFFICIO MEMBERS ATTENDING

*Regional Bicycle Task Force: Patrick
McDermott, Chandler
*Street Committee: Gary Thomas, Gilbert

*Pedestrian Working Group: Steve Hancock,
Mesa for Mike Branham, Surprise
*Telecommunication Working Group: Debbie
Kohn, Avondale

* Members neither present nor represented by proxy.

OTHERS PRESENT

Steve Jimenez, ADOT
Kwi-Sung Kang, ADOT
Eric Anderson, MAG
Terry Johnson, MAG
Sarath Joshua, MAG
Dave Kirk, MAG
Dennis Smith, MAG

Kelly Taft, MAG
Stephen Tate, MAG
Chris Voigt, MAG
Paul Ward, MAG
Chris Plumb, MCDOT
Glenn Kephart, Tempe
Don Dey, Transcore

1. Call to Order

Gary Brown, Chairman, called the meeting to order at 10 a.m.

2. Approval of Minutes of July 27, 1999

Steve Hogan moved approval of minutes and Jeff Martin seconded the motion, which passed unanimously.

3. Call to the Audience

No members of the audience wished to address the committee.

4. Transportation Manager's Report

Terry Johnson briefed the Committee on upcoming topics. He noted the 30% Plan schedule; the update of the MAG Transportation Improvement Program (TIP) and Long Range Transportation Plan (LRTP); an upcoming joint study with ADOT regarding the CANAMEX Corridor, and the Park and Ride Site Selection project for which an RFP has been released.

5. Approval of Consent Agenda

Jeff Martin moved and Steve Hogan seconded approval of the consent agenda, which passed.

6. Thirty Percent Design Schedule (Consent Agenda Item)

Jeff Martin asked if the 30 percent design schedule corresponded with the construction sequence. Victor Mendez said that 100 percent plans are based on priority, but the 30 percent design schedule could vary.

7. Report on the MAG Freeway Program

Eric Anderson provided an update on the MAG Freeway Program. He indicated that the July 1999 certification just issued by ADOT is a relatively minor update, and that the next major update is scheduled for January 2000. Revenue projections are expected to increase in the latter, based on increased revenue from sales taxes and the Highway User Revenue Fund (HURF).

ADOT is currently working with the Treasurer's Office on Board Funding Obligations (BFO) resolution. The first issue by ADOT is expected in October.

Costs are currently under review for ITS, FMS, additional lanes, cable barriers, sound walls and other issues. Finalizing cost estimates for costs will require updated cash flows to be provided by ADOT, which are expected soon.

Right-of-way acquisition is underway and is generally on-schedule. Utility relocations have been an issue, for which ADOT has been meeting with utility companies to address.

8. Advance Acquisition of Parcel on the South Mountain Parkway

Steve Tate provided an overview of the issue. He indicated that Red Letter Notification for the 154 acre parcel in the vicinity of 59th Avenue and Broadway Road was received in June. The estimated cost to acquire the needed right-of-way is \$1.2 million. However, the affected section of South Mountain Parkway is not currently in the ADOT Life Cycle Program to be completed by 2007, but is included in the MAG Long Range Transportation Plan. For this reason, ADOT had not taken action on the this Red Letter Notification. The Life Cycle Program does include \$5 million per year through 2003 for advance right-of-way acquisition beyond that needed to purchase all outstanding right-of-way for Life Cycle Program corridors.

A discussion of growth concerns in the area followed. Tom Callow said the South Mountain corridor was a high priority and, given recent high growth in the area, land acquisition for the corridor should be pursued in order to avoid higher costs that may be expected in the future after development has occurred or been initiated in the area. Jeff Martin indicated that, while he was sympathetic towards the position stated by Tom Callow, the existing policy for Red Letter projects should be followed. He cited Crescent Run, which is in the alignment of the Red Mountain Freeway, as a related case where recently people have been encouraged to relocate just to obtain ADOT money. He said however that he was reluctant to see money spent on projects not in the Life Cycle Program.

Tom Callow asked if the purchase could proceed if there were sufficient funds. Terry Johnson affirmed that it could, noting \$5 million per year were available for this purpose. Eric Anderson noted this project has been included in the MAG LRTP for some time. Tom Buick recommended a policy of early purchase of land once the project has been identified, in order to avoid having to purchase the land at an inflated price once development has been initiated. Fred Carpenter asked if the \$5 million fund was for the Life Cycle Program, and if the funding for FY 2000 was already allocated. Eric Anderson noted the funding was in the life cycle program.

Jeff Martin suggested the issue be referred to the Right of Way Advance Acquisition Committee, if the development is not imminent. Tom Callow said he did not have the time frame for the project, but that this area is extremely active.

Steve Hogan noted that the development could be purely speculative and asked if additional information was available to determine whether the property was likely to actually be developed. He also asked if the municipalities have done what they can to protect the land needed for corridors. Fred Carpenter asked if the City of Phoenix could advance funding. Tom Callow said they do not have surplus funds. David Moody noted the major savings in early acquisition is not the cost of buying land, but the costs of buying homes and relocating people once development has occurred.

Patrice Kraus asked how much right-of-way remains to be acquired. Tom Callow indicated most of the required land has not been acquired. Steve Jimenez said a few parcels around Van Buren have been acquired. Patrice Krause recommended that the issue be taken back to the MAG Right of Way Stakeholders. She stated she did not want to set a precedent today with a decision regarding this

parcel. Terry Johnson indicated the MAG Right of Way Stakeholders were not officially a committee, but could make recommendations to the appropriate MAG Committees.

Jeff Martin motioned for the issue to be taken to the Stakeholders. Tom Callow seconded the motion. Gary Brown asked if all municipalities could participate. Terry Johnson indicated that invitations would be extended to all TRC members. The motion passed unanimously. Terry Johnson is to arrange the meeting before the next TRC meeting.

9. Construction of Median Cable Barriers on the MAG Freeway System

Sarath Joshua gave a brief presentation on the cable barrier issue. He noted the State's current design standard provided medians 46 feet in width, and that median barriers were optional for that width under the Roadside Design Guide published by the American Association of State Highway & Transportation Officials (AASHTO). He stated that an ADOT team has recently developed a Draft Guideline for Median Barriers on Urban Freeways. According to recommendations contained in this Guideline, median barriers are required on all new and existing freeways in the MAG region.

The costs for this action would be approximately \$19.0 million. Funding sources were discussed. ADOT receives \$10 million a year in highway safety funds that might be used for existing freeways. An additional \$8.7 million in MAG Regional Area Road Fund (RARF) could be used for cable barriers on new freeways.

Victor Mendez indicated that requests for the median barriers had been received by ADOT from both MAG members and the Governor. Gary Brown asked for clarification on who is responsible for maintenance. Sarath Joshua indicated that ADOT is responsible for maintenance.

Jeff Martin asked if federal Hazard Elimination and Safety (HES) funds could be used for the barriers. Victor Mendez indicated that FHWA has established rules and criteria for the use of HES funds, and that the proposed actions might not qualify under those rules and criteria for funding. Benefit-cost assessments, for example, would be required.

Gary Brown asked, if federal standards have already been established, and there is doubt that the proposed actions would qualify, why should any funds be expended on the proposed action. Victor Mendez responded that the proposed actions had not been assessed yet. Instead, only general discussions had been held to date with FHWA, but it appeared that the projects would not qualify for federal funds.

Steve Hogan commented that if the existing HES criteria do not indicate that a significant safety problem exists, then perhaps a significant problem does not exist. He noted that the ADOT report also does not show a clear problem. He also raised the issue of timing, noting that HES applications takes a long time to process and therefore may not be available in the desired time frame. He indicated that it may be more productive to obtain funding elsewhere.

Mike Cartsonis asked if vegetation such as Oleanders planted along the medians provide any protection. Sarath Joshua responded that they were not an adequate barrier, and referred to a severe

accident involving trees in the median on SR 51 that resulted in a substantial claim against the city of Phoenix.

Jeff Martin moved to accept the MAG staff recommendation. Tom Callow seconded.

Jim Book observed that the original highway designs by ADOT did not include the barriers now being proposed, and costs have doubled from what would have been the case if the barriers had been included in those original designs.

Tom Callow said Phoenix had contacted ADOT to request the median barriers, and does not want to have the median barrier implementation fail because of funding issues. The question to address is whether to implement the median barriers system wide.

Steve Hogan motioned for MAG to fund new freeways and freeways under construction. Feasibility for funding the retrofit of existing freeways with HES would be reviewed by MAG. If HES funding is not feasible, then MAG would fund. The motion was not seconded.

Terry Johnson indicated that the Executive Committee was concerned about establishing a precedent of using regional funds for maintenance or retrofit of the existing system, as opposed to new construction. He indicated that there were other possibilities for funding, such as ADOT Surface Transportation Program (STP) funds.

David Moody said it could be wasting money if the barriers are not warranted. Mike Cartsonis suggested that, whatever barriers are implemented, the landscaping be preserved.

Jeff Martin said ADOT should not avoid using HES funds. ADOT should fund retrofits. MAG staff should participate in any meetings with FHWA regarding the use of HES funds.

Ken Driggs suggested that Jim Bourey and Mary Peters negotiate cost allocation on cable barriers. He voiced a concern over what other projects might be affected by the reallocation of funds.

Jim Book asked if the proposed barriers would represent a one-year project. Victor Mendez referred him to the schedule provided, noting \$11 million in the first year were required.

Sarath Joshua noted that the ADOT Guidelines on Median Barriers were based on a review of practice in other states, and that the entire freeway system qualifies for the barriers under the new ADOT guidelines.

Victor Mendez said ADOT will work with FHWA on HES. Jeff Martin said ADOT would be expected to pay for the retrofits if they were located in rural areas, but views Maricopa County as deep pockets to pay the bills.

Mike Cartsonis requested that the motion be amended to include preservation of landscaping. Jeff Martin agreed. Victor Mendez disagreed, citing liability and safety concerns.

Jeff Martin moved for accept MAG staff recommendation, that MAG fund \$8.7 million for new freeways and that ADOT fund all retrofits. Patrice Krause seconded the motion. The vote was five in favor, with seven opposed. The motion did not pass.

Tom Callow moved that MAG fund all new and existing freeways. Victor Mendez second. Jeff Martin opposed the motion, stating that ADOT had a responsibility for maintenance and should be held to that commitment.

Dennis Smith said he supported Jeff Martin's motion. If it is not accepted, then the issue can be added to the agenda next month to discuss again. He noted the region has not received its share of safety funds despite its funding contributions.

Steve Hogan said the HES funding process takes too long, and the amounts available are limited and not adequate for the proposed improvements. Patrice Krause asked what ADOT would do if MAG refused to fund the retrofits. Victor Mendez said the question is what would MAG do. Patrice Kraus said the issue is who is responsible for paying. Tami Ryall stated that the residents of Maricopa County are entitled to the same degree of safety as are the residents of Arizona outside of Maricopa County.

Tom Callow motioned for ADOT to pay for US 60 and I-10, and MAG to pay for new and existing freeways on the MAG system. David Moody seconded the motion.

Terry Johnson asked if HES funds would be applied for I-10 and US60. Victor Mendez stated they would, but that he did not believe the other facilities would qualify.

Jeff Martin said he agreed with Dennis Smith and thought the County was being asked to pay more than rural communities would. He stated that the issue could be revisited at the next TRC meeting. Patrice Krause suggested other options for retrofits be explored. Fred Carpenter said the bottom line was to use HES funds for retrofit, and MAG funds for new freeways. Victor Mendez said this could not be stated for sure now.

Tom Callow asked how many miles of cable barrier were proposed. Eric Anderson said 23 miles for I-10 and US 60, and 115 for the MAG system

Jeff Martin offered a substitute motion, that MAG pay for new freeways and those under construction, and that the options for funding retrofits be explored. Fred Carpenter seconded the motion. Steve Hogan asked for the timeframe for negotiation of the options for funding retrofits. Jeff Martin said one month. Tom Callow accepted the substitute motion. The motion passed unanimously.

Gary Brown turned the meeting over to Fred Carpenter.

10. Conceptual Agreement between MAG and ADOT for Grant Anticipation Note Financing

Eric Anderson briefed the Committee on the Grant Anticipation Note (GAN) financing. He noted five points that are part of a conceptual framework between MAG and ADOT: (1) ADOT pledges its available federal funds for repayment, (2) MAG allocates federal funds at least equal to amount needed for repayment, (3) the amount needed to repay ADOT will be included in the MAG TIP, (4) If MAG funds are not available, ADOT can then use HURF or RARF, and (5) the Plan maturity dates are extended 12 months.

Jeff Martin asked about repayment and priorities. Eric Anderson responded that the structure avoids the major problem that would occur if projects were delayed.

Steve Hogan moved the staff recommendation and Jeff Martin seconded. The motion passed unanimously.

11. Requests for Projects for MAG Federal and Regional Funds for Inclusion in the FY 2001-2005 MAG Transportation Improvement Program

Paul Ward provided a briefing on federal funds. He noted that the process being used this year was accelerated by three months over that employed in previous years. He provided a schedule for the upcoming TIP:

- (1) Requests for federal and regionally funded projects, due to MAG by September 24, 1999,
- (2) Draft list of projects by MAG, November 2, 1999,
- (3) TRC to recommend projects to the Management Committee and Regional Council, December 7, 1999, and
- (4) Remaining TIP projects, due to MAG by January 21, 2000,
- (5) Management Committee and Regional Council approval of the draft TIP and LRTP for conformity analysis, March 2000.

Paul noted that a new requirement for CMAQ funding was an air quality analysis prior to programming the proposed projects, based on CMAQ guidelines received in April 1999. A new form, which will be available on the MAG website, has been created and is to be used on a voluntary basis for this year's update.

Tami Ryall stated that a change to the process had been discussed before, and statements made then still apply. The proposed change would create increased work for staff, which is unacceptable for small municipalities who do not have the staff. Additionally, she stated that she had a fundamental philosophical problem with second-guessing the work of other professionals who review and submit the projects for funding.

Jeff Martin said he shared the concerns voiced by Tami Ryall and that he would like a copy of the new form to be brought to the next Committee meeting for review. Paul Ward noted the change as purely voluntary.

Tami Ryall said the Pedestrian Working Group did not support the change. She also stated that it was not correct to say the change was purely voluntary as those municipalities that do not comply might not get the same chance for funding.

Tom Buick noted the projects involved were worth hundreds of thousands of dollars, if not millions. The amount of money involved warrants some justification to support the funding requirement for congestion mitigation and air quality. Tami Ryall said that was being done already, and that an additional onerous process would be tough on small jurisdictions.

Mike Cartsonis suggested that the regional priority for projects could be simplified if MAG would set policy. Terry Johnson offered to add this item to the agenda for a future TRC meeting to be developed for next year, but that this process needed to be followed this year.

12. Next Meeting Dates

The meeting adjourned at 11:53 a.m. The next meeting is scheduled for Tuesday, September 21, 1999 at 10:00 a.m. in the MAG Office, Saguaro Room.